

RCE/2800/\$

PTO/SB/30 (10/2001)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/847,645
Filing Date	May 1, 2001 # 12
First Named Inventor	Asbury
Art Unit	2881
Examiner Name	D. Vanore 8/6/03
Attorney Docket Number	UW Asbury

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 CFR §1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

### 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 CFR §1.102(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)
- b.  Other \_\_\_\_\_

### 3. Fees

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 02-0915
  - i.  RCE fee required under 37 CFR §1.17(e)
  - ii.  Extension of time fee (37 CFR §§1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 375.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Delbert J. Barnard	Registration No. (Attorney / Agent)	20,515
Signature	<i>Delbert J. Barnard</i>	Date	July 22, 2003

### CERTIFICATE OF MAILING OR TRANSMISSION

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Signature	<i>Delbert J. Barnard</i>	Date	July 22, 2003

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**AMENDMENT TRANSMITTAL LETTER (Small Entity)**

Applicant(s): **Asbury et al.**

Docket No.

**UW Asbury**

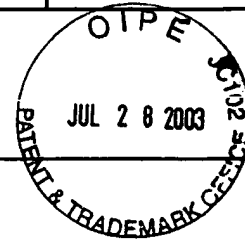
Serial No.  
**09/847,645**

Filing Date  
**May 1, 2001**

Examiner  
**D. Vanore**

Group Art Unit  
**2881**

Invention: **DEVICE AND METHODS FOR DETECTING SAMPLES IN A FLOW**



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	5 -	5 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **02-0915**  
A duplicate copy of this sheet is enclosed.
  - Any additional filing fees required under 37 C.F.R. 1.16.
  - Any patent application processing fees under 37 CFR 1.17.

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*Delbert J. Barnard*  
Signature

Dated: **July 22, 2003**

**Delbert J. Barnard**  
**Barnard, Loop & McCormack LLP**  
**P.O. Box 58888**  
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**206.381.3100**

I certify that this document and fee is being deposited on July 22, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Delbert J. Barnard*  
Signature of Person Mailing Correspondence

**Delbert J. Barnard**

Typed or Printed Name of Person Mailing Correspondence

CC:



13/a  
Strange  
8/6/03

PATENT APPLICATION  
Our Docket: UW Asbury

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On July 22, 2003, by Delbert J. Barnard.

Signature: Delbert J. Barnard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 2881  
Examiner: D. Vanore  
Applicant: Asbury et al.  
Serial No: 09/847,645  
Filed: May 1, 2001  
Title: DEVICE AND METHODS FOR DETECTING SAMPLES IN A FLOW  
Date: July 22, 2003

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**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
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This Response is accompanied by a Request for Continued Prosecution and the required fee. Responsive to the Office Action mailed April 22, 2003, entry of the following amendments and remarks is respectfully requested.

Inventors: Asbury et al.  
Serial No.: 09/847,645  
Filed: May 1, 2001  
Page 2

### AMENDMENTS

Please amend claims 1, 6, and 11 to 13 as set forth herein below.

The current status of all claims pending in the present application is shown below. Currently amended claims are presented with markings to indicate the changes made relative to the immediate prior version by underlining of added text.